

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [17-cv-06748-WHO](#)Case Name: Diazv. Tesla, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

| | | |
|---|---|--------------------------------------|
| JUDGE: | PLAINTIFF ATTORNEYS: | DEFENSE ATTORNEYS: |
| William H. Orrick | Larry Organ, Michael Rubin, Dustin Collier, Bernard Alexander, III, and Cimone Nunley | Alexander Spiro and Asher Griffin |
| TRIAL DATE: 3/29/2023 | REPORTER: | CLERK: |
| 8:01 a.m. to 1:44 p.m. 3:06 p.m. to 3:45 p.m. 6 hours, 22 minutes | Marla Knox | Jean Davis |

| PLF NO. | DEF NO. | DATE/TIME OFFERED | ID | REC | DESCRIPTION |
|------------|---------|-------------------|----|-----|--|
| | | 8:01 a.m. | | | The motion filed overnight will be dealt with upon the Court's review of the transcript of Mr. Wheeler's testimony. Counsel heard as to scope and method of the examination of Mr. Diaz. |
| | | 8:13 a.m. | | | Court in recess |
| | | 8:32 a.m. | | | Defense cross examination of Amy Oppenheimer (Spiro) |
| | | 9:04 a.m. | | | Plaintiff redirect of Amy Oppenheimer (Collier) |
| | | 9:13 a.m. | | | Witness excused |
| | | 9:15 a.m. | | | Plaintiff direct examination of Edward Romero (Organ) |
| | | 9:52 a.m. | | | Defense cross examination of Edward Romero (Griffin) |
| 106 | | 9:57 a.m. | X | X | Email: Romero to Quintero, Marconi, Garrett re Javier Temores and Troy Dennis "n-word" |
| | | 10:02 a.m. | | | Court in recess |
| | | 10:19 a.m. | | | Defense cross examination of Edward Romero continues (Griffin) |
| | | 10:23 a.m. | | | Plaintiff redirect of Edward Romero (Organ) |
| | | 10:27 a.m. | | | Witness excused |
| | | 10:27 a.m. | | | Testimony of Erin Marconi presented by way of video deposition excerpts |
| | | 10:52 a.m. | | | Plaintiff direct examination of Ramon Martinez (Alexander) |
| 234 | | 11:04 a.m. | X | X | Email: Martinez to Romero and Torres re Owen unprofessional |
| | | 11:11 a.m. | | | Defense waives cross examination; witness excused |
| | | 11:13 a.m. | | | Plaintiff direct examination of Owen Diaz (Organ) |

Case No: 17-cv-06748-WHOCase Name: Diaz v. Tesla, Inc.Date: March 29, 2023Courtroom Deputy: Jean Davis - Court Reporter: Marla Knox**EXHIBIT and WITNESS LIST CONTINUED**

| PLF NO. | DEF NO. | DATE/TIME OFFERED | ID | REC | DESCRIPTION |
|----------------|----------------|--------------------------|-----------|------------|---|
| 19 | | 11:17 a.m. | X | X | Owen Diaz Tesla ID Badge |
| | | 11:20 a.m. | | | Court in recess |
| | | 11:35 a.m. | | | Court in session (jurors out) awaiting return of defense counsel |
| | | 11:36 a.m. | | | Defense counsel arrives |
| | | 11:42 a.m. | | | Plaintiff direct examination of Owen Diaz continues (Organ) |
| | | 12:52 p.m. | | | Defense cross examination of Owen Diaz (Spiro) |
| 204 | | 1:09 p.m. | X | X | Job application |
| | | 1:31 p.m. | | | Jurors excused |
| | | 1:32 p.m. | | | Conference conducted outside the presence of jurors as to the appropriate scope of examination. |
| | | 1:44 p.m. | | | Court in recess |
| | | 3:06p.m. | | | Jury instruction conference conducted via Zoom Webinar. Argument of counsel heard. Counsel will continue their discussions, and further argument will be heard in the Friday morning attorney conference as to any issues that counsel are unable to resolve via agreement. |
| | | 3:45 p.m. | | | Court in recess. |

Time calculations:

Plaintiff time remaining at the end of 3/28/2023: 6 hours, 4 minutes

Plaintiff time used 03/29/2023: 3 hours, 01 minutes

Plaintiff time remaining: 3 hours, 3 minutes

Defense time remaining at the end of 3/27/2023: 6 hours, 32 minutes

Defense time used 03/29/2023: 1 hour, 26 minutes

Defense time remaining: 5 hours, 6 minutes